

Pledge of Allegiance

Present:

Present at the meeting: Ryan Lemke, Jayne Hoy, Bob Mitall, Edward Patrick, James Olszewski, Chris Kerns, and Community Development Director Jim Morrison.

Absent:

Anthony Livecchi and Council Liaison Carl Stepanovich

Approval of Minutes: Mr. Patrick made a motion to approve the August 9th 2022 and August 23rd 2022 minutes. Ms. Hoy seconded. All voted aye. Motion approved.

PUBLIC HEARING

A Public Hearing concerning CU-2-22, an application by Brandywine Green LLC for a Pet Crematory, 103 Technology Lane, tax parcel 49-21-00-0-055, 1.40 acres, B Business Zoning.

The public hearing began at 7:00 p.m. Chairman Mitall instructed everyone on the procedure for the hearing. A stenographer was present to record the meeting. The stenographer swore in anyone who wanted to give testimony.

Jim Rumbaugh, was the representative for the Sampson Morris Group. With him tonight is Brian Synan, Senior Vice President of Sampson Morris Group, and Teutonian Investments, the property owner; Attorney Adam Long; Misty Sirch (from Florida), the director of real estate development for Brandywine Green; and also Charlie Pedrick (from Florida), director of facilities maintenance for Gateway Services and Brandywine Green.

Mr. Rumbaugh stated that this project started back in March 2022 trying to conclude that the Planning Commission was the appropriate municipal body to make the presentation. It was determined by the Zoning Hearing Board that this is the right place to because it is a conditional use.

Attorney Adam Long stated that he will be calling upon three individuals to address different areas of this matter and he believes that they will meet all of the standards by a large margin.

Attorney Adam Long calls Brian Synan to speak first about the pet crematorium project. Mr. Synan stated that his role within Sampson Morris Group is Senior Vice President and broker of record. Mr. Synan further stated that the building, in question, is owned by Teutonian Investments, and Sampson Morris is the general partner of Teutonian Investments and is located at 103 Technology Lane, Export, PA 15632. The building is approximately a 10,300 square foot industrial flex building located at the top of the industrial park in a cul-de-sac with very little traffic. Brandywine Green would be the single tenant in the building.

Attorney Adam Long next calls on Misty Sirch, to speak next about the pet crematorium. Ms. Sirch stated that she is the director of real estate development for Gateway Services. Brandywine Green is a subsidiary of Gateway Services. Ms. Sirch further stated that Gateway Services is the largest pet funeral home and pet cremation provider in the United States with

over 200 locations. We currently have one location in West Chester, Pennsylvania, and we are looking for this to be our second location in Pennsylvania. Ms. Sirch advised that their company provides pet funerals, cremation services, memorial items to the pet parents (urns or necklaces) and support services for veterinarians as 1 in 6 vets tries to commit suicide annually. Ms. Sirch further went on to explain the difference between a pet funeral and a pet cremation. She stated that they offer two different services for the pet families. The pet parents can come in and view their pets and say goodbye to their pets, very much like a human funeral home, as there is a viewing room and a casket, or the second option is, the pet parents can choose to have their pets cremated. The majority of their business is pet cremations. 3 to 5 % is pet funerals. The average amount of employees that will work there is 5.

A YouTube video was presented of what the interior of the facility would look like.

Attorney Adam Long next calls on Charlie Pedrick, director of facilities and maintenance, to speak next about the pet crematorium. Mr. Pedrick advised that there are three teams that report to him; the air permitting team, the machine maintenance team and the facilities team. The facilities team deals with brand new sites and upgrades to facilities. The machine maintenance teams deals with over 700 cremation machines and the maintenance of all those machines all over the U.S. and Canada. The air permitting team is all about compliance. Whatever the air permit state is in each city, they make sure they follow them, renew them and stay up to date with the emission and method 9 testing. Mr. Pedrick went on to explain the cremation process, which is a flame and heat based process to break down the body into bone fragments. Mr. Pederick further stated that they provide their clinic partners with cadaver or care bags and the pets are placed in those bags all the way throughout the process until they are placed in the morgue and then into the cremation chamber. Mr. Pedrick next spoke about the difference between a private cremation and a communal cremation. He stated that a private cremation is where the pet parents want the pet cremated by itself and wants the pets remains returned to them in an urn. A communal cremation is where the pet parents don't want their pets remains returned to them and the pet remains are cremated with a bunch of other pet remains.

Ms. Hoy made a motion to close the public hearing. Mr. Kerns seconded. All voted Aye.

The public hearing was concluded at 7:47 p.m.

Consider a recommendation on a conditional use approval for CU-2-22, an application by Brandywine Green LLC for a Pet Crematory, 103 Technology Drive, tax parcel 49-21-00-0-055, 1.40 acres, B Business

Mr. Kerns made a motion to recommend approval with the condition that they meet all the guidelines of the Municipality and State. Ms. Hoy seconded. All voted aye. Motion passes.

PUBLIC HEARING

A Public Hearing concerning CU-5-22, an application by Lyons Run Watershed Association (LRWA) for a proposed major excavation to construct a passive mine acid treatment system on properties owned by LRWA, Jeffrey and Holly Pelusi, Kirk Rettger and Caroline Lee, and Blackthorne Investors, LLC., tax parcels 49-20-00-0-005, 49-20-00-0-100, 55-04-00-0-055, 55-04-00-0-007, and 55-04-00-0-111, Boxcartown Road, 5.3 acres, R-R Rural Residential Zoning.

The public hearing began at 7:50 p.m. Chairman Mitall instructed everyone on the procedure for the hearing. A stenographer was present to record the meeting. The stenographer swore in anyone who wanted to give testimony.

Charles Kane from Civil Environmental Consultants is the representative speaking on behalf of Lyons Run Watershed Association. Mr. Kane stated that he is here tonight to discuss the proposed abandoned mine drainage treatment facility along Boxcartown Road. It's on the border of Murrysville and Penn Township. It's where Boxcartown Road comes off of School Road South in Murrysville. The site plan was presented and Mr. Kane pointed out the location of the site and stated its behind Blackthorne Estates. Mr. Kane advised that the Lyons Run Watershed Association is proposing to construct a passive abandoned mine treatment system along five parcels. The area was formerly the mine #2 of the Irwin gas coal company last operated in 1920. The project came about following a study done by the U.S. Army Core of Engineers. The reconnaissance study of the Lyons Run watershed identified three seeps that were significant sources of AMD (Acid Mine Drainage), and the proposed project here is to collect surface flow from three AMD sources. The treatment facility will collect surface flow from the three seeps to improve downstream water quality and equiological function within the Lyons Run Watershed. This location is along a tributary to Lyons Run, maybe 1000 feet or so. The plan intends to construct a series of basins. There are three limestone treatment basins, as well as with two settlement basins, along with associated piping, as well as the creation of a couple of wetlands that the discharge of these ponds will go through. The construction of this facility is what brings us to the Conditional Use. There will be major excavation. There will be 5,500 cubic yards of earth excavated from the site, as well as 11,300 cubic yards of fill placed. A majority of the fill that will be placed on the site will be the limestone aggregate used to line the treatment beds as well as some of the maintenance area to bring in maintenance vehicles to maintain these facilities.

Mr. Morrison asked Mr. Kane to identify the haul route. Mr. Kane stated that the haul route would come from Harrison City Export Road onto School Road South and then onto Boxcartown Road. All State Roads.

Mr. Morrison asked how is the stone being brought in? Mr. Kane answered a typical tri-axle truck.

Ms. Hoy asked how much stone is being brought in? Mr. Kane answered 4,000 to 4,500 yards of stone to fill the basins.

Mr. Patrick made a motion to forward this matter onto council. Mr. Lemke seconded. Mr. Mitall abstained. Motion passes.

Mr. Patrick made a motion to close the public hearing. Mr. Kerns seconded. All voted Aye. Motion passes.

The public hearing was concluded at 8:11 p.m.

New Business:

Consider authorization to advertise for a public hearing on a request by Fox Jr. Development to rezone approximately one acre of land located at 4075 William Penn Highway, tax parcel 49-14-02-0-098, from M-U Mixed Use zoning to B Business zoning.

Ms. Hoy made a motion to consider authorization to advertise for a public hearing. Mr. Patrick Seconded. All voted aye. Motion passes.

Consider authorization to advertise for a public hearing on a request by Timothy and Patricia DeBiase to rezone approximately 1.5 acres of land located at 4051 William Penn Highway, tax parcel 49-14-02-0-097, from M-U Mixed Use zoning to B Business zoning.

Ms. Hoy made a motion to consider authorization to advertise for a public hearing. Mr. Patrick Seconded. All voted aye. Motion passes.

Consider authorization to advertise for a public hearing on a conditional use/major excavation SP-4-22 Bushy Run Investments, LP, Phase II, Fusting Executive Park, for construction of an 80,000 sf Office Building and a 36,000 sf retail center, Wilson and Manor Road, tax parcel 49-21-00-0-087, zoned B Business.

Ms. Hoy made a motion to consider authorization to advertise for a public hearing. Mr. Patrick Seconded. All voted aye. Motion passes.

Authorize advertising for a special meeting of the Murrysville Planning Commission for October 25, 2022.

Ms. Hoy made a motion to authorize advertising of a special meeting for the Murrysville planning Commission for October 25, 2022.

Old Business

Consider a recommendation for Tommy's Express Car Wash application, SP-1-22, CU-1-22, a Conditional Use and Major Land Development application, two parcels 49-14-08-0-015 and 49-14-08-0-016, 4765 Old William Penn Highway, B Zoning.

Attorney Charles Hergenroeder and Adele Beaves from Kimley Horn are the representatives speaking on behalf of Tommy's Car Wash. They advised that they have answered all questions and have taken all the advice of all the changes that the Municipality wanted made.

Ms. Hoy made a motion to recommend onto council for Tommy's Car Wash Conditional Use CU-1-22, subject with the waivers being:

1. Be exempt from the environmental and community impact studies;
2. Be exempt from an air quality study;
3. Be exempt from a hydrogeological study for the project and;
4. Review of the noise study.
5. Additional canopies over the vacuums along the side of the building.

Mr. Patrick seconded. Mr. Lemke abstained. Motion passes.

Ms. Hoy also made a motion to recommend onto council the land development and lot consolidation for Tommy's Car Wash SP-1-22. Mr. Kerns Seconded. Mr. Lemke Abstained. Motion passes.

Consider a recommendation of a re-zoning by Sushil Shinde and Ankita Bhargava of approximately 21.76 acres of land, tax parcels 49-10-13-0-011, 49-10-13-0-012, 49-13-0-013 and 49-10-13-0-014, Logan Ferry Road, from R-1 Residential to R-3 Residential.

Attorney Charles Hergenroeder is the representative speaking on behalf of the applicant. Mr. Hergenroeder advised that a traffic study was done and a report from FTMSA was done regarding the sewage capability.

After much discussion from the planning commission, Ms. Hoy made a motion to forward this onto council without their approval and recommend denial. Mr. Patrick Seconded. Mr. Lemke Abstained. Motion Passes. Ms. Hoy stated reasons for denial are: The road can't handle anymore traffic, the bridge can't handle anymore traffic, Sardis Road and Old William Penn can't handle anymore traffic, the neighbors are against it, and it's just a bad location for it.

Other Business: None

Adjournment: Mr. Patrick moved to adjourn at 9:00 p.m. Ms. Hoy seconded. All members voted aye. Motion Approved: 6 - 0 .